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ABSTRACT

The White House Working Group on the Family was mandated to study how government at all levels could be made supportive of American families (i.e., how a pro-family policy could be implemented). This report on the status of family life in the United States opens with guidelines by which to judge public policy and its effects on the family. The first section, on "family economics," discusses the family in a capitalist society and the legal status of the family. The subjects of divorce and poverty are also considered. In discussing "children and the American future," the topics of teen-age pregnancy and television are approached and the deleterious effects of welfare on child poverty is reiterated. In discussing "caring for children," child support enforcement statistics are offered as well as information on adoption. In the final section, "neighborhoods," community responsibility is discussed along with citizenship and taxes. Education and the schools are briefly discussed with emphasis on the work ethic and moral values. (JD)

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The Family

Preserving America's Future

A Report to the President
from the
White House Working Group
on the Family

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE UNDER SECRETARY

THE UNDER SECRETARY

December 2, 1986

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

As you know, in February of 1986 Attorney General Edwin Meese, acting in his capacity as Chairman of the White House Domestic Policy Council, asked me to chair an Administration working group that would study how government at all levels could be more supportive of American families. I am proud to formally present to you the result of our work: The Family: Preserving America's Future.

During the past seven months the Working Group on the Family contacted hundreds of organizations and reviewed thousands of pages of Federal regulations. Our findings revealed that government has, in many ways, made life more difficult for millions of our country's families.

Your Administration has now reversed that trend through a variety of steps ranging from tax reform to recognizing and honoring American families that have overcome astounding odds to succeed.

In short, Mr. President, we are optimistic. Most of America's families are pulling through and our institutions are rallying to assist those in trouble. Most households hold together. Most of our children aspire to productive and independent lives. Most young adults, upright and responsible, hope to build families of their own. Most families endure.

This report recommends additional steps we can and should take to preserve and protect the American family. We look forward to working with you to make further progress in helping Americans who have built our free democratic society "one house at a time."

With the deepest respect and admiration, I am,

Sincerely yours,

Gary L. Bauer

Gary L. Bauer

400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202

". . . unless we work to strengthen the family, to create conditions under which most parents will stay together—all the rest: schools, and playgrounds, and public assistance, and private concern, will never be enough to cut completely the circle of despair and deprivation." [1]

Lyndon B. Johnson

"Strong families are the foundation of society. Through them we pass on our traditions, rituals, and values. From them we receive the love, encouragement, and education needed to meet human challenges. Family life provides opportunities and time for the spiritual growth that fosters generosity of spirit and responsible citizenship." [2]

Ronald Reagan

"There are exceptional women, there are exceptional men, who have other tasks to perform in addition to, not in substitution for, the task of motherhood and fatherhood, the task of providing for the home and of keeping it. But it is the tasks connected with the home that are the fundamental tasks of humanity. After all, we can get along for the time being with an inferior quality of success in other lines, political or business, or of any kind; because if there are failings in such matters we can make them good in the next generation; but if the mother does not do her duty, there will either be no next generation, or a next generation that is worse than none at all. In other words, we cannot as a Nation get along at all if we haven't the right kind of home life. Such a life is not only the supreme duty, but also the supreme reward of duty. Every rightly constituted woman or man, if she or he is worth her or his salt, must feel that there is no such ample reward to be found anywhere in life as the reward of children, the reward of a happy family life." [3]

Theodore Roosevelt

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FOREWORD

The American Family

The American people have reached a new consensus about the family. Common sense has prevailed. After two decades of unprecedented attacks upon it, the family's worth—indeed, its essential role—in our free society has become the starting point in a national effort to reclaim a precious part of our heritage.

We are all "pro-family" now, but it was not always so. Only a few years ago, the American household of persons related by blood, marriage or adoption—the traditional definition of the family—seemed to be in peril. In academia, in the media, and even in government, radical critiques of family life were conspicuous. It was trendy to advocate "open marriage," "creative divorce," "alternate lifestyles," and to consider family life as a cause of "neurotic individualism."

Some experts taught that parenthood was too important for amateurs, that children should be raised in State-approved clinics, that a license should be required for procreation, that tax penalties should be levied against those with large families. Husbands and wives were urged to kick "the togetherness habit." A radical redefinition of "family" was underway.[4] It reached its peak of confusion in 1980, when the White House Conference on Families foundered on the fundamental question of what constitutes a family and what makes for good family life.

This hostility toward the family was new to Americans, even as we experienced its devastating impact upon our communities, our neighborhoods, our circles of friends and relations, and in many cases, our own homes. But it was not entirely new. It was merely a manifestation during a period of domestic strife and social dislocation, of an animus long at war with the values and beliefs of democratic capitalism.

It is no accident that every totalitarian movement of the 20th century has tried to destroy the family. Marx and Engels viewed family life as Cato viewed Carthage: it was to be destroyed. Their disciples in state socialism, from the Petrograd Soviet to the Third Reich, from Hanoi to Havana, have sought to crush family life. The essence of modern totalitarianism has been to substitute the power of the State for the rights, responsibilities, and authority of the family.

Everywhere the equation holds true: Where there are strong families, the freedom of the individual expands and the reach of the State contracts. Where family life weakens and fails, government advances, intrudes, and ultimately compels.

That was the anti-family agenda of many in the 1960s and 1970s: a governmental solution to every problem government had caused in the first place. Because government had fostered welfare dependency, more government programs were needed. Because government imposed crushing economic burdens upon families,

more governmental redistribution of income was required. Somehow the bottom line was always the same: government would take resources from the families of America in order to "help" them.

That approach came to a crashing halt in 1980, when the American people gave an unprecedented electoral mandate to a new president. He trusted them to manage their own lives. He sought to empower them anew, with all the promise of a growing economy, safer communities, a more decent way of life.

By lightening the heavy hand of government—through historic tax cuts, regulatory reform, respect for State and local authority—he unleashed their energy and initiative. The result has been the greatest period of expansion and job creation in modern times.

By standing firm for neglected verities—law and order, a depoliticized judiciary, parental rights, and plain civility—he sparked a social renewal that is bringing reform to our schools, our courts, our safer streets and more decent neighborhoods.

His defense of the family is now widely imitated. Indeed, it has become fashionable to recognize that the restoration of family life is vital to our society's future. But some have learned only part of his lesson. They finally see the import of the family, but they do not yet understand the basics of a pro-family policy.

That we need such a policy is clear. The statistics on the pathology affecting many American families are overwhelming. Consider the following statistical portrait of the 3.6 million children who began their formal schooling in the United States in September of 1986.

- ☐ 14 percent were children of unmarried parents.
- ☐ 40 percent will live in a broken home before they reach 18.
- ☐ Between one-quarter and one-third are latchkey children with no one to greet them when they come home from school.

Other trends are equally disturbing, for example:

- ☐ In 1960, there were 393,000 divorces in America; by 1985, that number had increased more than threefold to 1,187,000.
- ☐ Births out of wedlock, as a percentage of all births, increased more than 450 percent in just 30 years.

The family needs help!

That is the reason for this report: to attempt to distill the essentials of what government should, and should not do concerning the family. To individuals and organizations of all shades of opinion earlier this year, we posed a question: "What can we do to help America's families?" The response was overwhelming; and while the specific suggestions differed greatly, it became clear that there is a new awareness among the American people of a basic truth many had forgotten or overlooked. *It is as simple as this: private choices have public effects. The way our fellow citizens choose to live affects many other lives. For example, there is no such thing as private drug abuse. The abandonment of spouse and children hurts far beyond the home. Illegitimacy exacts a price from society as well as from the individuals involved. Child pornography and obscenity degrade the community, especially its women and children, as well as those who patronize it. The casual disregard of human life ultimately imperils all those who are weak, infirm, and dependent upon the compassion and resources of others.*

It simply is not true that what we do is our business only. For in the final analysis, the kind of people we are—the kind of nation we will be for generations hence—is the sum of what millions of Americans do in their otherwise private lives. If increasing numbers of our children are born or raised outside of marriage and if youth drug and alcohol abuse remains at current levels, there will be staggering consequences for us all: greater poverty, more crime, a less educated workforce, mounting demands for government spending, higher taxes, worsening deficits, and crises we have only begun to anticipate.

If an ever larger percentage of adults choose not to marry or choose to remain without children, there will be public policy implications. For example, the withering of the American family has already had unexpected demographic consequences. With current fertility levels and without immigration, our population will decline; this is a problem we share with much of the western world. We can forsee the graying of America, with new strains on social security, the manpower needs of the economy, and the viability of the volunteer armed forces. For another example, our entire society is now confronted with the fallout from the "sexual revolution" of the last quarter-century. Was it really just a matter of private choice that has ravaged the country with an epidemic of sexually transmitted diseases, many of them new and virulent? Is it a private matter that results in staggering medical bills distributed among consumers (through higher insurance premiums) and among taxpayers (through taxes to support medical research and care)?

Who pays the bills? In this as in so many other cases, the American family pays, even when it stands apart from the pathologies that inflict such costs, economic and social, upon the body politic.

The family has paid too much. It has lost too much of its authority to courts and rule-writers, too much of its voice in education and social policy, too much of its resources to public officials at all levels. We have made dramatic progress, during the past six years of economic reform, in turning back those resources to the men and women who earn them through labor, invention, and investment. Now we face the unfinished agenda: turning back to the households of this land the autonomy that once was theirs, in a society stable and secure, where the family can generate and nurture what no government can ever produce—Americans who will responsibly exercise their freedom and, if necessary, defend it.

It is time to reaffirm some "home truths" and to restate the obvious. Intact families are good. Families who choose to have children are making a desirable decision. Mothers and fathers who then decide to spend a good deal of time raising those children themselves rather than leaving it to others are demonstrably doing a good thing for those children. Countless Americans do these things every day. They ask for no special favors—they do these things naturally out of love, loyalty and a commitment to the future. They are the bedrock of our society. Public policy and the culture in general must support and reaffirm these decisions—not undermine and be hostile to them or send a message that we are neutral.

A Pro-Family Policy

Proposed Guidelines

This report proposes standards and principles by which to judge public policy and its effects on the family. It is not meant to be the last word on this matter but, rather, is intended to advance the emerging national consensus that can translate rhetoric into reality. In that process, we propose the following guidelines:

1. *First and most important, a pro-family policy must recognize that the rights of the family are anterior, and superior, to those of the state.* Government does not create the family, though it has an obligation to protect it. And government cannot abolish the family, or intrude upon its functions, without undermining the social foundation of the state itself.

2. *Parents are fundamental, in terms of both rights and responsibilities.* They have the duty to provide for their offspring, and they are usually the best judges of their children's needs. Parental control is not perfect; and our society has always recognized that, in certain circumstances, it can be contravened. *But law and policy should presume the reasonableness of parental action, and the authority of the home should be respected except in cases of substantial risk of harm.*

3. *When dealing with the family, the starting point for government at any level—Federal, State, or local—should be the central tenet of the Hippocratic Oath: Primum, non nocere. First of all, do no harm.* The indirect impact of government activity is often more important than its intended effect. Our courts, our legislation, and even the rhetoric of our leaders send signals to the American family. Those who pushed instant no-fault divorce laws through 49 State legislatures did not intend to facilitate the abandonment to poverty of millions of women and children. But clearly these laws have contributed to the historically high divorce rates and lower financial settlements for women and children. Our judges probably did not intend to touch off an explosion of illegitimacy when they minimized the power of the States to legislate on that subject. But it happened, and today our society wonders how to get the genie of personal indulgence back into the bottle of legal restraints.

4. *We must guard against abusing and misusing the pro-family label.* In the past, it has been used to cover an incredible array of political schemes. During the 1930s and 1940s, for instance, Social Democrats in several European nations purported to "save" the family by socializing the costs of child rearing. State-funded day care, child allowances, national health systems, school feeding programs, and other welfare programs were put in place, but at tremendous expense. Government grew and taxed, pinching pocketbooks and forcing mothers into the workplace. Birth rates declined. All this has been done elsewhere in the name of the family. It must be avoided here.

5. *A family policy is not a remedy in itself but a standard by which proposed remedies can be judged. The nation's response should begin with questions: Will this program, this change, this law be fair, supportive, and encouraging to the families of America? Does it justify the financial burdens it would impose upon household income? Is there a way to accomplish our purpose that involves less government or a private-sector substitute for it?*

6. *Although many family problems are not amenable to policy solutions, the public sector can nonetheless influence patterns of culture.* There never has been, and never will be, a governmental solution to the interpersonal problems of spouses and children. There never will be a governmental substitute for individual responsibility for the results of our own actions. But that does not mean government has to ignore problems that are rooted in a contemporary culture hostile to, or ambivalent towards the family. *Although government cannot mandate cultural change, public officials can, as opinion leaders, influence its direction.* For example, they can be intolerant of drug abuse within their own offices. They can avoid occasions which give respectability to those who demean women through pornography. Just as we expect them to shun segregated facilities, so we should expect them to avoid association with anti-religious bigotry. In short, their conduct must not be value-neutral.

7. *When intervention in family affairs is necessary, it should be undertaken by institutions closest to control by citizens themselves. There are literally thousands of private sector organizations across America that help meet family needs. These include churches, neighborhood groups, voluntary associations*—the whole panoply of self-help organizations which has characterized America since Alexis de Tocqueville marvelled at our networks of private institutions. Many of the problems of the mid-century welfare state could have been avoided if those in power had reinforced these mediating institutions, instead of undermining them.[5]

8. *When government intervenes in family affairs, whether through assistance or correction, the action should be undertaken by the level of government closest to the people involved.*

9. *Family policy must be built upon a foundation of economic growth. It is futile to apportion slices of a shrinking pie. Sustained, vigorous expansion of the economy—with all the opportunity that flows therefrom—is an essential part of any pro-family program. That means low marginal tax rates. It means keeping inflation under control.* It means resisting spending schemes—even those wrapped up in pro-family rhetoric—which undermine household prosperity.

10. *There is great reason for hope.* No trend is irreversible. Most of America's families are pulling through, and our institutions are rallying to assist those in trouble. From inner-city neighborhoods to rural communities, most households hold together. Most youngsters aspire to productive, independent lives. Most young adults, upright and responsible, hope to build families of their own. Most families endure.

For most Americans, life is not a matter of legislative battles, judicial decrees, and executive decisions. It is a fabric of helping hands and good neighbors, bedtime stories and shared prayers, lovingly packed lunchboxes and household budget-balancing, tears wiped away, a precious heritage passed along. It is hard work and a little put away for the future.

No government commands these things. No government can replicate them. In a faddish culture that emphasizes living for the moment and for oneself, they affirm an older, and more lasting, set of priorities.

This fabric of family life has been frayed by the abrasive experiments of two liberal decades. If by some terrible turn of events, it were to unravel, then both economic progress and personal liberty would disappear as well. Neither prosperity nor freedom can be sustained without a transfusion, from generation to generation, of family values: respect and discipline, restraint and self-sacrifice, interdependence and cooperation, loyalty and fidelity, and an ethical code that gives to individuals, however lowly, a transcendent import.

The idols of our recent past were those who defied norms and shattered standards, and indeed there is always a place for "rebels." But in a healthy society, heroes are the women and men who hold the world together one home at a time: the parents and grand-parents who forgo pleasures, delay purchases, foreclose options, and commit most of their lives to the noblest undertaking of citizenship: raising children who, resting on the shoulders of the previous generation, will see farther than we and reach higher.

This is social responsibility at its best. Parental nurturing and education of the young is our most important national investment. It is the fundamental task of humanity.

"Family experiences shape our response to the larger communities in which we live. The best American traditions echo family values that call on us to nurture and guide the young, to help enrich the lives of the handicapped, to assist less fortunate neighbors, and to cherish the elderly. Let us summon our individual and community resources to promote healthy families capable of carrying on these traditions and providing strength to our society." [6]

Ronald Reagan

". . . No matter how many communes anybody invents, the family always creeps back."

Margaret Mead

Why Families?

Many "visionaries" have contended over the years that there are better ways to raise and nurture children than in intact families. These efforts have failed and the traditional family, forever described as teetering on the brink of extinction, has persevered.

In spite of obvious strains, Americans remain committed to the family. The Gallup poll shows that a "good family life" is our number one social value outranking, even in this age of the "me generation," physical health, self-respect and freedom of choice. Americans seem to understand Edmund Burke's observation: "To be attached to the subdivision, to love the little platoon we belong to in society is the first principle of public affections." For most Americans, this "little platoon" is the family.

Why is this so? Why is there "no alternative to the bourgeois family in the contemporary world?" [7] Why is the family "an absolutely essential component of a society that is based on freedom and democratic processes . . . ?" [8]

First, the family nurtures children better than any alternative. Amitai Etzioni of the Center for Policy Research and George Washington University has written, "There never was a society throughout all of history . . . without a family as the central unit for launching the education of children, for character formation, and as the moral agent of society." [9] Indeed, during all of written history from ancient Egypt to modern America, the record shows "that the family has been the vehicle through which men and women have entered upon life. In the family they have been born, there they have been trained to take a place in society as adults, and from there they go out to begin the cycle all over again with their own children. Even more significant as a measure of the antiquity and fundamental nature of the family is that anthropological studies of cultures far removed in character from so-called civilized societies have turned up virtually none which lacked a family life." [10] Will and Ariel Durant summarized their study of history by observing that "the family is the nucleus of civilization."

When individuals are in trouble the family becomes even more key in the struggle to survive and prosper. "One unforgettable law has been learned painfully through all the oppressions, disasters, and injustices of the last thousand years: if things go well with the family, life is worth living; when the family falters, life falls apart." [11]

Of course, in addition to everything else, the family transmits our culture and nurtures the character traits that create good citizens in a free society—in short, it is a source of "public virtue." "It is through the commitments made in families that both children and parents experience the value of authority, responsibility, and duty in their most pristine forms. Those who formulated our constitutional system knew that 'public virtue' among the citizenry was crucial to preserving the authority of popularly elected leaders." [12]

In view of all this, it is clear that public policymaking in a free democratic society should begin with the axiom "What strengthens the family strengthens society."

Family Economics

> "In general, however, upward mobility depends on all three principles—work, family, and faith—interdependently reaching toward children and future. These are the pillars of a free economy and a prosperous society." [13]
>
> George Gilder

The Family and Democratic Capitalism

The freedom to make our own lives—the essence of democratic capitalism—can flourish only where the family is strong. Strong families make economic progress possible by passing on the values central to a free economy.

Clearly, "the free enterprise system and the modern family are intimately linked in a complex web of cause and effect." [14] In fact, democratic capitalism through "its devotion to human freedom, its creation of wealth, and its demand for personal responsibility—made the modern family possible. And the modern family—by its channeling of the unleashed individual toward natural and necessary social tasks, by its mobility, by its unique motivational psychology, and by its linkage to an inherited moral code—made the free enterprise system possible." [15] Some contend that the consumer ethic of capitalism undermines family values, but it is more true that neither the modern family nor the free enterprise system would long survive without the other.

Families save; and even more importantly they teach children the values upon which savings are built—delaying gratification now for some future goal. In fact, "the family is the seedbed of economic skills, money habits, attitudes toward work, and the arts of financial independence." [16]

The savings of millions of American families "coming together like the small rivulets that form a raging river," are what drives the American economy. These savings have made economic expansion possible by providing the capital pool that keeps interest rates reasonable, allows businesses to borrow and grow, and creates job opportunities for young men and women who are beginning families of their own. "It was the saving patterns of families, and the virtues inculcated by them, which made capitalism possible by making capital available. Destroy the one, and you destroy the other." [17]

By one estimate, at least 60 percent of the gross national product is generated by family firms and 75 percent of private corporations, partnerships and proprietorships are family dominated.[18] While this estimate is probably high, the fact is that many individual businesses in our country are family-based.

Attitudes toward work are formed in the family. Families that teach that hard work results in gain are preparing skilled and energetic workers—the engine for democratic capitalism. By contrast, nothing is more likely to undercut achievement than the failure to teach the importance of hard work. Without employees, investors, and entrepreneurs nurtured in families and instilled with the work ethic, democratic capitalism falls.

George Gilder in *The Wealth of Families* puts it succinctly: "The family which is tied together with love is the source of all productivity and growth." [19]

Family Versus the Individual?

It may appear a paradox that American society, with its emphasis on rights of the individual, has placed great value on a strong family structure. To some, the nature of the family may seem opposed to freedom: a limitation on spouses bound by commitments to each other, a burden on parents obligated to care for children, and a restriction on children who live under parental authority.

The experience of history, however, shows family and liberty to be natural companions, not enemies. The framers of our Constitution saw clearly that only those societies strong in certain civic virtues could sustain an experiment in representative democracy. The family is the primary training ground for individual responsibility, for self-sacrifice, for seeking a common goal rather than self interest. Without those virtues, democracy breaks down in an unrestrained battle of each against the other. Only strong families can build a society strong enough to make representative democracy secure.

Conversely, only in a society that allows individual freedom can family members exercise the initiative and responsibility that makes for strong family life.

The breakdown of the American family in recent years merely confirms the interdependence of strong families and secure liberties. Irresponsibility, self-seeking, and contempt of authority erode not only the family but respect for law and civility as well. *Children who do not learn to live out commitments to others in a family do not learn to live within a larger society either. If we wish to see a renewal of liberty, we must work for a renaissance of the family.*

Legal Status of the Family

We venture the guess that most Americans, if asked about the legal status of the family, would respond that it has a special place in our jurisprudence, a hallowed role in our constitutional system. The disconcerting truth is that judicial activism over the last several decades has eroded this special status considerably.

That is a radical departure from our national heritage. The Anglo-American legal tradition always recognized the family's central role in begetting, nurturing, and educating children. Under the common law, and under our State laws based upon its spirit, the family was the legal expression of the closest human relationships from childhood through old age. When the framers of the Constitution drafted the legal blueprint for the nation, there was no need to enumerate the rights of the family or its unique role as mediator between the individual and government; for everyone knew that and took it for granted. Family law, moreover, was a matter for the States, where the family unit, the household, was the basis of social identity and public standing.

For almost two centuries thereafter, the nation changed in many ways, some of them nothing short of revolutionary. But the legal status of the family remained secure, and the interest of the community in protecting that status was affirmed by Supreme Court decisions in *Maynard* v. *Hill* (concerning divorce in the Oregon Territory) and in *Reynolds* v. *the United States* (upholding the law against polygamy). Perhaps the reason why there were not more cases affirming the legal status of the family is that few challenges to that status ever arose.

In the 1920s, however, two significant challenges did arise, and the Supreme Court's response to them affirmed our long tradition of legal respect for family life. Striking down a Nebraska law in 1923, the Court held that the liberty protected by the Fourteenth Amendment "without doubt" includes the right "to marry, establish a home and bring up children." [20] Two years later, the Court voided an Oregon law that required all children between the ages of eight and 16 to attend public schools. Under the Fourteenth Amendment's protection of liberty, the Court insisted, this law "unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control." [21]

In matters of economics, the Court at times veered in different directions concerning substantive due process under the Fourteenth Amendment. But in family law, there was no deviation: the natural rights of the family were never in question, and it was entirely predictable, in *Skinner* v. *Oklahoma* in 1942, that the Court would strike down a compulsory sterilization law, which violated the human right to have children.

It was not predictable—indeed, it was a shocking surprise—that the Supreme Court 25 years later would hand down a series of decisions which would abruptly strip the family of its legal protections and pose the question of whether this most fundamental of American institutions retains any constitutional standing. The common thread in these decisions has been the repudiation of State or Federal statutes or regulations based upon traditional relationships between spouses and between parents and children.

We cannot say that all the invalidated measures were sound public policy. Some of them may have been outdated, others may have been out of step with national public opinion. But these were matters for the people themselves to decide, through their elected representatives in State legislatures and in the Congress. Instead, the Supreme Court decided; and it did so on a philosophical basis which left little room for legal recognition of the family.

In *King* v. *Smith, New Jersey Welfare Rights Organization* v. *Cahill,* and *USDA* v. *Moreno,* the Court gutted attempts to enforce the moral order of the family as the basis for public assistance. *Levy* v. *Louisiana, Glona* v. *American Guarantee and Liability Insurance Company, Gomez* v. *Perez,* and *Weber* v. *Aetna Casualty and Surety Company* put an end to legal preference for the intact family. The Court has struck down State attempts to protect the life of children in utero,[22] to protect paternal interest in the life of the child before birth, and to respect parental authority over minor children in abortion decisions.[23]

In *Moore* v. *City of East Cleveland* [24] (431 U.S. 494, 1971), the Court denied to the citizens of that predominantly black community the power to zone their town to limit occupancy of dwelling units to members of a single family, in order to protect residents from the downward drag of the welfare culture. In so doing, Moore in effect forbade any community in America to define "family" in a traditional way.

The Supreme Court has turned the fundamental freedom to marry [25] into a right to divorce without paying court costs.[26] It has journeyed from protection of the "inti-

mate relation of husband and wife" in its contraception cases [27] to the dictum that "the marital couple is not an independent entity with a heart and mind of its own. . . ." [28]

The cumulative message of these cases reverberates today. In some respects, the family stands outside the law or more specifically, familial relationships may not be given preferential standing in law. Taken together, these and other decisions by the Supreme Court have crippled the potential of public policy to enforce familial obligations, demand family responsibility, protect family rights, or enhance family identity.

Yes, economic remedies are important for helping the American family; but they cannot by themselves tilt the balance of public policy back in favor of family life. That will require something more fundamental: returning to communities the authority to set norms and affirm values, while protecting at the Federal level those fundamental rights which undergird our system of ordered liberty. This approach may be foreshadowed in a recent Court decision upholding an anti-sodomy law in Georgia. In that decision, the Court expressly refused "to take a more expansive view of our authority to discover new fundamental rights." To do that, would be for the Court to "take to itself further authority to govern the country without express authority." It would, as Justice White put it in another case, leave the Federal judiciary "roaming" at will in "an exercise of raw judicial power" over the ruins of the American family.

Some will say that is a simplistic solution, and that simple solutions don't work. We disagree. We affirm the prophetic declaration of a losing but cheerful presidential hopeful as he stood before his party's nominating convention in 1968: "There *are* simple solutions. There are just no easy ones."

So where do we begin? We urge the Federal courts to permit the States wide latitude in formulating family policy. Judges should resist the temptation to write their own favored notions of marriage and family into Constitutional law.

State courts, with specialized family forums, have superior competence in adjudicating and monitoring family disputes. The intrusion of Federal courts into controversial matters regarding divorce, alimony, custody, and so forth could result in incompatible Federal and State decrees in cases which are normally subject to ongoing court supervision. Severe restraint by the Federal judiciary will be necessary to avoid problems that would strike to the heart of the administration of justice.

The States, for their part, should not hesitate to promote family goals for fear of, or in deference to, the Federal Government. Rather they should feel free to protect the family according to their own sense of goals and priorities, consistent with the relatively few limitations imposed by Federal statute.

In the final analysis, however, a fatally flawed line of court decisions can be corrected, directly or indirectly, through mechanisms created by the Constitution itself. These include the appointment of new judges and their confirmation by the Senate, the limitation of the jurisdiction of Federal courts, and, in extreme cases, amendment of the Constitution itself. All these have been proposed in response to judicial tendencies of the last quarter century, and we do not presume to endorse or oppose any of them here. But we do anticipate that the good sense of the American people, through one means or another, will generate the means and the will to restore the legal standing of the American family.

Divorce

One legal issue regarding the family demands particular attention. Ironically, it is a subject over which the Federal Government has—and, we believe, should have—no jurisdiction. *Divorce is a State matter, and its inclusion in this report is not to suggest a Federal role in its regulation.* The fact is, however, that the Federal Government—or more accurately, the Federal taxpayers—are directly affected by the level of divorce in our country.

Our discussion of this subject is not judgmental of individuals. The target of our censure is a trend, an attitude, a pattern, and the way that pattern has been instigated by unwitting legislation.

When the authority of the State declares a marriage ended, there is usually more than enough pain to go around. That is particularly true when children are involved. For those reasons, traditional divorce laws inhibited easy separations. They recognized the interest of the community in encouraging marital stability. They provided disincentives for dissolution of the marital bond. In so doing, they sometimes made things difficult, and changes in divorce law may well have been overdue. But in a relatively short period of time, almost all the States adopted a model divorce law that established, in effect, no-fault divorce.

Not surprisingly, already high divorce rates sky-rocketed even further. While it is true that one in five couples who marry can anticipate reaching their 50th anniversary, it is also tragically true that, in recent years, there has been one divorce for every two weddings. We have throwaway marriages, like paper towels, summed up by a recent cartoon of bride and groom in their honeymoon suite, with the former saying, "I'm sorry, Sam, I just met my dream man in the reception line." [29] One distinguished social scientist extrapolates to a startling conclusion: "If we continue to dismantle our American family at the accelerating pace we have been doing so since 1965, there will not be a single American family left by the year 2008. While I frankly believe that some force will set in to reverse the course and save the American family before this time, we should not disregard that the trend has been going on for more than a decade and half." [30]

This is not a matter of cold statistics. For millions, the divorce rate means emotional trauma and economic distress. Reporting to the American Academy of Child Psychiatry on a ten-year study, Judith Wallerstein concludes that divorce can so disturb youngsters that they become psychologically unable to live happy lives as adults. A study by Stanford University's Center for the Study of Youth Development in 1985 indicated that children in single-parent families headed by a mother have higher arrest rates, more disciplinary problems in school, and a greater tendency to smoke and run away from home than do their peers who live with both natural parents—no matter what their income, race, or ethnicity.[31]

A two-year study funded by Kent State, the William T. Grant Foundation and the National Association of School Psychologists, found that there were substantial differences between children of intact families and those of divorced families. "Children of divorce also are absent from school more frequently and are more likely to repeat a grade, to be placed in remedial reading classes and to be referred to a school psychologist, says the study of 699 randomly chosen first, third and fifth graders in 38 states." [32] In addition, John Guidubaldi, Professor of Early Childhood Education and director of the study, noted "far more detrimental effects of divorce on boys than on girls. Disruptions in boys' classroom behavior and academic per-

formance increased 'noticeably' throughout elementary school. Boys, he speculated, are much more affected by their parents' divorce because children fare better with single parents of the same sex, and 90 percent of all custody rights go to mothers. Out of 341 children from divorced families in the study, fathers had custody in only 24 cases." [33] *Education Daily* reported that "Children from divorced families are much more likely than their peers from 'intact' families to score lower on IQ, reading and spelling tests, get lower grades and to be rated less favorably by teachers and peers." [34]

The divorce epidemic has not only devastated childhood. It has brought financial ruin to millions of women. Divorce reform was supposed to be a panacea for women trapped in bad marriages. It has trapped many of them in poverty. A widely respected study of one State's landmark no-fault divorce law found that the effect of the average divorce decree was to decrease the standard of living of the women and her minor children by 73 percent, while increasing the man's standard of living by 42 percent.[35] Behind those horrendous statistics are real people, like the lady in New Hampshire who, after 23 years of marriage and eight children, was left by her husband for a younger woman. Her household income plummeted from $70,000 a year to just over $7,000.[36]

What are we to say to her and to millions like her? That they are victims of a sexual revolution in which public policy has no interest? That apart from efforts to enforce child support, government has to stay neutral toward the endurance of the marital relationship? And are we to say the same to the taxpayers, who pick up the bills for other people's break-ups through more spending on remedial education, law enforcement, mental health programs, drug and alcohol abuse programs? As one State jurist (Richard Neely of the West Virginia Supreme Court) recently noted, "In families of average income or less, the burden of divorce-related poverty falls on society as a whole. Welfare payments, subsidized housing, public sector make-work jobs, and salaries for lawyers who collect support for women and children are but a few of the mounting costs we pay for other people's divorces."

Clearly, we all have an interest—whether ethical or economic—in reversing the recent trend toward automatic divorce. In part, this is a matter of self-interest: the dissolution of households imposes heavy strains upon our society. But in a more important part, it is a matter of selfless compassion: for the weak and the young, the abandoned and scorned, the cheated and tossed aside.

We will never be able to rectify the wrongs of the last two decades. There are injuries beyond the scope of government to heal. We can, however, both as individuals and through our institutions of community, help those who have suffered by the collapse of their own households. And what is most important, we have the power, as residents of the separate States, to demand the alteration of those laws which have allowed, and even encouraged, the dissolution of the family.

"Many of the us have begun to ask again about the role of the family and the critical importance of the values embodied in strong families—discipline, hard work, ambition, and self-sacrifice, patience and love. It's easy enough to mock such values and bourgeois. But middle-class or not, they appear to constitute the spiritual foundation for achievement—the psychological infrastructure, if you will, for both personal growth and full participation in the world around us." [37]

Clifton R. Wharton

Family and Poverty

There is no doubt that poverty and weak family life are related, but there is a common misconception about which is the cause and which is the effect. Some have asserted that poverty leads to family break-up. That was not the statistical experience of this country during the Great Depression, however, and it certainly does not explain why our worst period of family dissolution coincided with a period of tremendous prosperity.

Worst of all, is the theory that lack of income leads poor husbands and fathers to abandon their wives and children so that the broken family can then receive public assistance. Those who hold this view have argued that extending more welfare benefits or a guaranteed income to intact families would result in less family break-up. The facts do not support the theory. From 1971 to 1978 a major experiment doing just that was conducted in Seattle and Denver. The effect on poor families was devastating. Dissolution of marriages was 36 percent higher for whites receiving the benefits than for those who did not and 42 percent higher for blacks.

Fathers do desert, but not so their loved ones can get welfare. The availability of public assistance, however, does make desertion easier. But there is a far more destructive connection between welfare and family poverty.

Welfare contributes to the failure to form the family in the first place. It is the creation of family fragments, households headed by a mother dependent upon public charity. In that process, the easy availability of welfare in all of its forms has become a powerful force for destruction of family life through perpetuation of the welfare culture. One can only imagine with horror what would happen to low-income, intact families if the centrifugal force of public assistance were applied to them in the same manner.

No one disputes the fact that changes in family composition have had a crucial effect on poverty rates during the last decade. If the rate of family fragmentation had not increased, there would have been 4.2 million households below the poverty line in 1980 instead of the 6.2 million which were actually in poverty then. For black families, the poverty rates—adjusted for the family factor—would have been 19.9. percent, or 9 points lower than it actually was. The adjusted poverty rate for white families was 5.9 percent in 1980, about 2 points lower than the published estimate.

These numbers are not meant to minimize the impact of poverty, but rather to emphasize the extent to which the failure to form and maintain stable families has wrought economic dislocation for millions of people. Thus, the relatively more frequent splitting up of families through divorce and separation and the creation of more female householders in general have been closely associated with the maintenance of high official poverty rates for these groups. [38]

The University of Michigan has tracked the relationship of economic status to family status. Its Panel Study of Income Dynamics has been monitoring the economic fortunes of a nationally representative sample of American families since 1968.

Among other findings, the survey demonstrates the following:

- ☐ Poverty is not static. Economic status fluctuates substantially, and families go in and out of poverty.
- ☐ Changes in family composition—marriage, divorce and remarriage—are the most important factors in accounting for changes in economic fortunes.
- ☐ Remarriages dramatically improved the economic well-being of whites and blacks.

Perhaps no group has suffered more from the breakdown of the family than have black Americans. The statistics on family health are disturbing enough for our society at large, but for poor blacks they are a disaster story. Black illegitimacy rates have always been higher than those for the overall population; but starting around 1965, the rate arose from an already high 25 percent to close to 60 percent today. *What is clear is that poor Americans, particularly minorities, have become the principal victims of the new relativism in family values.* Back in 1965, the Reverend Martin Luther King, Jr., affirmed that the nuclear family, "the group consisting of mother, father, and child," was "the main educational agency of mankind" and the "foundation for stability, understanding and social peace" on which the whole of society rested. Even then, he labeled the prevailing levels of divorce, illegitimacy, and female-headed families found in the black ghettos "a social catastrophe." Eighteen years later, the frequency of these social pathologies in the black community has increased by a factor of three.

Interestingly, the trend toward the failure of families to form accelerated during the period when the nation was committing an increased portion of its national wealth to helping the most disadvantaged. In 1959, 23 percent of poor families were headed by females. By 1982, this figure was 48 percent. This represents an unprecedented destruction of families.

As a nation, we remain committed both to helping the poor and to ending their dependency wherever possible. Those two goals go hand in hand. If "helping" merely perpetuates dependency, then it is worse than no help at all. Can welfare programs—or, for that matter, even economic growth—overcome the "poverty ethos" that prevails among what is increasingly called the underclass? How do we deal with those instances of poverty, of which there are more and more, that result from personal choices? As one critic has put it, "Nobody forces people to abandon spouse, to separate, to divorce, or to have children outside of wedlock. The government doesn't. There's no law saying you have to do that." [89] The question remains: What can government, and the community at large, do to discourage those reckless choices?

"Private values must be at the heart of public policies." [40]

Ronald Reagan

"It is easier to acknowledge the necessary involvement of government in character formation than it is to prescribe how this responsibility should be carried out. The essential first step is to acknowledge that at root, in almost every area of important public concern, we are seeking to induce persons to act virtuously, whether as school-children, applicants for public assistance, would-be lawbreakers, or voters and public officials. Not only is such conduct desirable in its own right, it appears now to be necessary if large improvements are to be made in those matters we consider problems: schooling welfare, crime, and public finance." [41]

James Q. Wilson

Private Choices—Public Effects

Public policymakers, the media and others tend to talk about the poor as if they were some homogenized mass. They are not. They are individuals—most deserving of help, some arguably less so. Most poor families are not characterized by criminality, drug addiction, welfare dependency and disintegration, recent headlines notwithstanding.

We must recognize the millions of poor men and women, black and white, who hold down low-paying jobs, do their best to raise their children and like all Americans want their streets and neighborhoods to be clean and free of crime. They lead good and upstanding lives. They make good neighbors. They may be "money poor" but they are "value rich." Every time opinion leaders say that poverty excuses bad behavior, we make more difficult the efforts of the majority of the poor to raise their children to a better life.

Over the last 20 years in a well-intentioned effort to help poor families, there is evidence that we have encouraged self-defeating patterns of behavior that destroy poor families and undermines the acquisition of character traits and work habits most likely to lift them out of poverty.

Research clearly indicates these character traits and work habits make a difference in escaping poverty. A recent study by the National Bureau of Economic Research (NBER) compared minority youths who were able to find work with those that were unsuccessful.

The survey found a significant correlation between churchgoing and "right" attitudes or aspirations in enabling youths to escape inner city poverty.[42] In fact, churchgoing reduced socially deviant activities such as crime and drug use and increased school going and employment. In addition to this factor, the background factors that most influence "who escapes" are whether other members of the family work and whether the family is on welfare.[43]

According to the analysis done by Freeman and Holzer, the most depressing part of the NBER project was the finding:

"That persons whose families are involved with major public programs for disadvantaged families do worse in the job market. Youths from welfare homes, with the same family income and

other attributes as those from non-welfare homes, do far worse in the job market; youths living in public housing projects do less well than youths living in private housing. Since the 'loss' of welfare benefits is slight when youths work, the problems of youth in welfare households cannot be explained as simply a 'rational' response to economic incentives. Instead they are more likely related to other factors, such as information and 'connections' or attitudes and 'work ethic.' " [44]

The battle over how to help America's poor families is not between the compassionate and the greedy. Our nation reached a consensus long ago that we must help those less fortunate than ourselves. We now need to agree that such help to be really compassionate must not rob the needy of the motivations, aspirations, family loyalties, values and character traits that ultimately are the only engine that drives families out of poverty and dependency to self-sufficiency. "There is compassion that stifles and there is compassion that empowers." [45]

Most of us understand this obvious fact: If you make certain behavior less costly or if you increase the benefits associated with it, a society will experience more of it. As we make decisions about making a living, starting and raising a family, we are affected by the rules government directly and indirectly sets. If this is true, what kind of rules did we set over the last 20 years and what lessons did we teach with those rules?

During those years some social scientists, politicians, academe and the elite advanced the proposition that we are not responsible for our behavior.

This message is the exact opposite of the version that each year brings millions of immigrants to our shores. *The tapestry of the American experience has been woven with a million individual stories of extraordinary effort and sacrifice to build a better life. The father who works two low-paying jobs so that a son can go to college, the penniless immigrant who teaches himself English and ultimately begins his own business—these success stories are not an elaborate myth. They are possible because the people who are the main actors in them believe that personal effort, sacrifice, perseverance and hard work will result—if not today, then tomorrow; if not for them, then for their children—in a better life. It is the embracing of this belief that makes success possible.*

We have done the underclass no favor by sending them a message contrary to the one that serves as a guidepost for upward mobility.

In fact, as welfare analyst Charles Murray has said, "One may take virtually any legislation, administrative change, or Supreme Court decision of the 1960s and early 1970s intended to help poor people and ask, 'How would this affect a poor young person's perception of his personal responsibility?' and the answer would be the same: Right behavior, he would learn, is not necessarily followed by rewards; wrong behavior is not necessarily followed by penalties. Outcomes are a lottery. When things go wrong, there are ready excuses; when things go well, it is luck."

In short, we may have made it desirable for some to behave on a short-term basis in ways that clearly and demonstrably are negative and destructive in the long term. The impact on families and their children has been profound.

Recommendations:

- ☐ Any changes in the welfare system, whether new programs or tinkering with the old, should be built on the first principle: they "must stress the integrity and preservation of the family unit." (John F. Kennedy, 1962)
- ☐ Research clearly shows the kind of value system and character traits needed for upward mobility. Welfare programs must be developed and implemented in ways that aid the acquisition of those values.

Children and the American Future

> Train up a child in the way he should go; and when he is old, he will not depart from it.
>
> Proverbs, Chapter 22, Verse 6

Reason to Hope

"Children are the future," claims a popular song by Whitney Houston. And thus far, no one has come up with a better formula. That is good reason for us to be concerned about the present condition of a significant portion of young America, for it warns us that the future of our nation is at stake.

Before we examine just how bad things are with regard to some children, we should put today's problems into the context of the last quarter century. For the social pathologies of the 1980s did not suddenly erupt. They festered and grew insidiously over more than two decades. Therein lie the roots of the problems we face, and therein too we may find solutions to them.

In the 1960s and 1970s, we were a remarkably young country. That is, an unusually large proportion of our population was in its first three decades of life. The post-war baby boom had created a youthful bulge in the demographic profile. This put strains on schools, courts, and other institutions that deal with the young. It made our culture more dependent upon fads, trends, and the ephemeral. Society was more rootless, less settled, more apt to challenge tradition, more eager to experiment. In a generation raised on immediate gratification, many scoffed at ethical strictures and legal impediments to the pursuit of happiness.

That is over now, but the social damage of America's youthful fling with self-indulgence has not been mended.

Some used to believe that the maladies of youth, behavioral and otherwise, were related to low-income, low levels of parental education, or being "disadvantaged." Accordingly, they led the nation to expend many billions of dollars to improve the status of children, in the expectation that there would be improvements across the board. Setting aside children from minority families, for white teens the period from 1960 to 1980 saw a decline in poverty, a smaller average family size, improvement in parental education, and a real dollar increase of 99 percent in per pupil spending for schools. Other Federal spending programs grew apace. By 1976, there were 260 programs administered by 20 different agencies in Washington, D.C., whose primary mission was to benefit children.

How did America's children fare during that period? Their delinquency rates doubled. Their Standardized Aptitude Test (SAT) scores plummeted. Drug and alcohol abuse skyrocketed. Illegitimacy dramatically increased, and so did teen abortions. Venereal disease ran epidemic. Perhaps most astounding: during that 20-year period, while mortality rates improved for all other Americans, they worsened for teenagers due to homicide, drug overdose, auto accidents, and suicide.

In hindsight, we can see why all that was inevitable. While we spent billions to meliorate symptoms, the underlying illness raged on. We created programs to remedy a hundred different secondary problems without ever addressing the critical condition that was causing them all—the breakdown of an ordered sense of right and wrong.

The drug plague is a perfect example. For almost two decades, efforts to convince youngsters to avoid drugs had little success because the anti-drug message was equivocal and confused. Instead of condemning drug abuse absolutely, many made exceptions. They invented the notion of "soft" drugs. They talked about "responsible" use, about recreational drugs. And millions who disapproved did not dare to appear intolerant or sanctimonious. Rather than seem prudish, we refused to draw the line.

That has radically changed, largely because certain individuals stepped forward to reassert common sense and a sense of values. Our nation, led by First Lady Nancy Reagan, united on this point as it may be on nothing else, now tells its children to "Just say no!" And predictably, children listen and most heed—as most have always done when given clear standards.

The fight against drugs has laid out the framework for attacking other threats both to the well being of young Americans and to the future of their country. It reminds us of truths which, forgotten for a while in the 1960s and 1970s, now offer us a basis for action and a reason for hope.

Crazy About the Kids

Urie Bronfenbrenner of Cornell University recently touched a sympathetic nerve in the American body politic when he identified the key ingredient of successful human development: "Somebody has got to be crazy about the kids." Most of us are, as any observer of school pageants, scouting, little league, and family recreation can attest. Unfortunately, several social trends, from divorce to busier lifestyles and the trend toward self-fulfillment, have worn thin the bonds between parent and child.

These trends are not easily reversed as long as the interests of children are secondary to our individual desire for career success or a new mate. And yet, improvement must come from within the home. It will not come from government, for "those who propose to improve the situation by designing programs which bypass the family are embarking on a futile quest." [46]

It can never be said too often: Children learn most by example. If we are "crazy about the kids," we will do better than we did during the 1960s and 1970s, when the example youngsters received told them "that there is no natural order of society and no inherently right patterns of living, loving, begetting and getting through life." [47]

Midge Decter puts it more bluntly: "For a generation now, millions upon millions of Americans—I will not say all—have been engaging in a child sacrifice. . . . Nor

do I mean this as a flowery metaphor. In our case, the idol to whom we have sacrificed our young is not made of wood or gold, but of an idea. This idea, very crudely put, is that we are living in an altogether new world with not yet fully understood new moral rules. As inhabitants of this supposedly newly ordered world, we tell ourselves we have no right to cling to or impose on others outmoded standards of behavior. On the contrary, everyone has a right, even an obligation, to make up his own rules—and with these rules, to make up his own preferred mode of living. This idea is no merely abstract proposition with us; we have translated it, socially religiously, politically, and juridically, into the stuff of our everyday national existence. And we have, as I said, literally sacrificed our children to it." [48]

The Bottom Line

Standards of behavior are not private. They are the key to citizenship. The way we live our private lives demonstrably effects our ability to get a job, hold regular employment, be productive, find a spouse, maintain a household, educate children, and contribute to the community. When our culture sent the message to young people that these things did not matter, it not only failed them but also betrayed the public interest.

Social experiments can be most devastating to those on the margins of society. That was the case with the rejection of values and authority. It hit hardest those who could least tolerate the blow: the minority youngsters who were about to inherit a new world of opportunity, earned for them in the sweat and blood of generations gone before. At last the barriers of race were falling. A revitalized America was learning to judge its citizens, as Martin Luther King, Jr., put it, "not by the color of their skin but by the content of their character." The fair chance for which millions had hoped and prayed was at long last placed in the hands of their children and grandchildren.

It was cruelly shattered in their hands. *It was broken by a lie, the falsehood that individuals cannot control their future, are not responsible for their actions, and cannot live or be judged by a single set of standards. Just when almost everything became possible for these young people, they were told that anything goes.*

The result is a catalog of misery, all of it linked inexorably to the denial of character and rejection of responsibility. Listen to James Payne, Chief of the Corporation Counsel in New York City's Family Court, on the hoodlums responsible for much of the City's street crime: "There are too many people around here bleeding over these kids, encouraging them to believe they got a raw deal. But if you go back and look at their individual histories, where they had an opportunity to do something for themselves—they didn't go to school, they didn't want to look for a job, or it wasn't a good enough job—they always had an excuse. And we reinforce it, academics, sociologists, psychologists want to blame anything but the individual himself." [49]

We've stopped making deterministic excuses to explain away drug abuse. We know the problem starts with the individual and must be solved by the same person. That's the same approach we must take toward other unacceptable, inappropriate, unlawful, and unethical behavior.

We must stop providing excuses, for excuses guarantee failure. When we tell our children that external circumstances are more important in shaping their future than are virtue and self-restraint, they will have little use for virtue and self-restraint. They will think that industrious and law-abiding people, perhaps their own parents, are fools. They will ignore the very concept of right and wrong.

Good families, rich or poor or in between, provide encouragement and support to their children, but no excuses. They teach character. They insist upon standards. They demand respect. They require performance.

Government must do the same.

Children, Poverty, and Family: Hurting the Helpless in the Name of Charity

For children, the key determinant of poverty is whether they live in an intact family. Between 1960 and 1985, poverty among children in two-parent families decreased almost by half. Among minorities, intact families have attained incomes much nearer the national average. But at the same time, the percentage of children living in female-headed families more than doubled.

This—not economic trends, not lack of compassion, not official unfairness—this is the root of child poverty in America: the formation of households without a bread-winner, usually through illegitimacy, often through desertion. This is the brutal fact: only one-fifth of children are in single-parent families, but they make up over one-half of all children in poverty.

Births out of wedlock, as a percentage of all births, increased more than 450 percent in just 30 years. For whites, the rate went from 1.7 percent to 10 percent. For non-whites, from 16.8 percent to 48.5 percent.

We know that women who receive Aid to Families with Dependent Children (AFDC) benefits when they are less than 25 years old remain dependent on AFDC for long periods of time. In fact, 70 percent received AFDC for at least 5 years; more than one-third got it for at least 10 years.[50]

> "Raised in an environment in which fathers don't provide for their young and dependency on government is assumed, few children will develop the skills of self-sufficiency, or even the concept of personal responsibility. Young men will not strive to be good providers and young women will not expect it of their men. Family breakdown becomes cyclical, out-of-wedlock births become cyclical, poverty and dependence becomes cyclical. And the culture of poverty grows." (Dissenting Views to "Safety Net Programs: Are They Reaching Poor Children," Select Committee on Children, Youth and Families, October 3, 1986)

We cannot allow children to suffer. *At the same time, there is increasing evidence that the easy availability of welfare has greatly increased the incidence of child poverty.* For example, the highest increases in the rate of child poverty in recent years have occurred in those States which pay the highest welfare benefits. The lowest increases—or actual decreases!—in child poverty have occurred in States which restrain the level of AFDC payments. That astounding connection challenges the fundamental assumptions of our public assistance programs.

An unpublished report to the Joint Economic Committee of the Congress—"Poverty, Income Distribution, the Family, and Public Policy"—reveals what many have long suspected: a "poverty-welfare" curve. Cash transfers, at their lower levels, assist people to make their way out of poverty. But as the assistance increases, it

becomes less effective in reducing poverty because it creates powerful work disincentives. At some point, welfare payments may actually result in more poverty, including more child poverty, because dependency becomes more attractive than labor and self-sufficiency.

That sobering nexus should be pondered by every would-be humanitarian demanding higher welfare spending. This is not a matter of money; it is a question of wasted futures and more suffering, most of it by youngsters doomed to the poverty culture by misguided altruism.

Illegitimacy

> "First, public leadership must do what public leadership is supposed to do: Lead. That is, public leadership must affirm with no apologies the values and ideals which our tradition has affirmed as good. We must speak up for the family. We have to say it, we have to say it loudly, we have to say it over and over again. No, there is no shame, there is no second-class status, in raising a child by oneself. There is honor for those who can do it well. But we must say too that a husband and wife raising children together is preferable to a mother or father doing the job alone. It's better for the child, it's better for the parents. This is not something we can be properly neutral about." [51]
>
> William J. Bennett

Does the welfare system, particularly AFDC, give some women incentives to bear children? Statistical evidence does not prove those suppositions; and yet, even the most casual observer of public assistance programs understands that there is indeed some relationship between the availability of welfare and the inclination of many young women to bear fatherless children.

Charles Murray has suggested that, even if welfare doesn't bribe a poor woman to have babies, it enables her to do so. "For the young woman who is not pregnant, 'enabling' means that she does not ask, 'Do I want a welfare check badly enough to get pregnant?' but rather, 'If I happen to get pregnant, will the consequences really be so bad?' " [52] Further, Murray suggests that the welfare culture may make illegitimacy more likely even among those women in the community not on welfare. "The existence of an extensive welfare system permits the woman to put less pressure on the man to behave responsibly, which facilitates irresponsible behavior on his part, which in turn leads the woman to put less reliance on the man, which exacerbates his sense of superfluity and his search for alternative definitions of manliness. When welfare recipients are concentrated, as they are in the inner city, these dynamics create problems that extend far beyond the recipients of welfare. Community values and expectations of male behavior are changed, and with them the behavior of young men and women who never touch an AFDC check. The defenders of the welfare system are prone to sanitize their estimates of effects: When a single young woman in the inner city has a child and does not go on welfare (as often happens), it is inferred that welfare is not implicated in her behavior. This set of hypotheses argues otherwise, focusing on the fact that she does bear the child." [53]

But what do we do about it? That leads us to a much larger question, and one which directly involves, not just the young people living in the poverty culture, but all the children of this country.

Why?

> "Progressively over the past 25 years we have, as a nation, decided that it is easier to give children pills than to teach them respect for sex and marriage. Today we are seeing the results of that decision not only in increased pregnancy rates but in increased rates of drug abuse, venereal disease, suicide, and other forms of self-destructive behavior."
>
> Representatives Dan Coats,
> Thomas J. Bliley, Jr., Dan Burton,
> Barbara F. Vucanovich, David S. Monson
> and Robert C. Smith

The question posed to us by those Members of the House Select Committee on Children, Youth and Families in their Minority Report on Teen Pregnancy in December 1985, must be our starting point: "Why does this problem seem so much more difficult in this generation? Are babies born today different from babies born fifty years ago? Or is the difference in the adults who are raising them? Have we really failed in our efforts to prevent pregnancies to unmarried teens? Or is it truer to say that we have abandoned them? Teaching them self-control, respect for themselves and others, fidelity, courage, and patience requires constant and tireless efforts. It also requires good example."

The easy answers have failed us. Now we have to go back to the simple solutions, the hard ones that really work.

We learned our mistake with drug abuse: when we expect young people to engage in a forbidden behavior, we actually encourage them to do so. The parents who told their kids not to use hard drugs but ignored their private use of marijuana were fostering the conduct they hoped to prevent. The States which taught the dangers of drunken driving in classrooms but also lowered the drinking age taught youngsters a lesson, but it was not the one presented in school.

Teenagers are not fools. They distinguish between what we say and what we mean. We say they should be responsible about sex; we mean they should not get pregnant. We say they should understand the dangers of promiscuity; we mean they can get contraceptives, antibiotics, and abortions. We have repeated the terrible mistake we made about drugs 20 years ago, and with the same consequences. Over one million adolescents become pregnant each year. Of these pregnancies, only 47 percent result in live births, 40 percent are ended by abortion, and 13 percent end in miscarriage or stillbirth.

Birth rates for unmarried adolescents aged 15–19 years have increased from 22.4 births per 1,000 in 1970 to 29.7 in 1983. However, in 1970, 29.5 percent of births to adolescents aged 15–19 years were out of wedlock as compared to 53.4 percent in 1983. Of course, illegitimacy is a symptom of a larger problem—and that is the numbers of American children who are having sexual relations as adolescents.

Testimony by Ann Gribbin, a professional staff member of the House Select Committee on Children, Youth and Families, before the Virginia General Assembly's Joint Committee on Adolescent Pregnancy drives the point home: "Here is the basic figure: three out of 10. In 1971, three out of 10 sexually active, unmarried adolescent women had become pregnant. In 1976, three out of 10 sexually active, unmar-

ried adolescent women had become pregnant. In 1979, again, three out of 10, and in 1982, again, three out of 10. Nothing changed."

Except, that is, the percentage of teens engaging in sexual activity. That rate jumped by 50 percent. And that, all by itself, accounts for the epidemic of teen pregnancy, illegitimacy, and abortion.

Just as with drug abuse, the majority of teens are not part of the problem. Those who live with both parents, those to whom religion and church attendance are important, those who do not use narcotics are less likely to be sexually active. In fact, the last factor deserves much greater attention. There is ample impressionistic evidence to indicate that drug abuse and promiscuity are not independent behaviors. When inhibitions fall, they collapse across the board. When people of any age lose a sense of right and wrong, the loss is not selective.

William Raspberry, in a recent column *(Washington Post,* November 7, 1986), asked his readers to react to the following statement:

> "Young people are going to do it anyway, so rather than waste time shouting a futile 'Don't,' maybe we ought to just teach them to do it responsibly: supply them with the information, the resources and the devices to eliminate the worst of the consequences of their doing it."

He then correctly pointed out that many would reluctantly agree with the statement if they assumed the "it" was teenage sex. But there would be shock and indignation if the "it" meant drug use.

Raspberry concludes, "we remain . . . absolute when it comes to illicit drugs, while in matters of sex, we are rapidly adopting what I call normative morality—a tendency to set rules not on what we think is proper behavior but on what people actually do."

Regarding drugs, we are now sending an absolute message of "no" to our children. On sex, we're still stuck in the '60s, trying to make the best of unacceptable conduct. But if these two patterns of behavior are intimately related, if, indeed, they are two parallel expressions of the same ethical vacuum among many teens, we cannot address them in conflicting ways. We cannot hope to fill half a vacuum. Either we give young people a coherent, integrated approach to the temptations of modern life; or else they will apply the least common ethical denominator to all the moral questions that confront them.

That gives us reason to be optimistic. As parents, religious leaders, and public officials begin to confront drug abuse without reservations and without compromise, they will begin to see the need for a similarly unequivocal approach to other teen pathologies.

Contrary to the old excuse, everybody is NOT doing it. Adolescent sex is on the decline. Several studies indicate the percentage of American teenagers sexually active declined between 1979 and 1982.[54] Almost half of all unmarried 18 year old girls are virgins. Of the remainder—incorrectly labeled "sexually active"—almost one in seven had engaged in intercourse only once. About 40 percent had not had intercourse within the last month.

This is not the irreversible trend some would portray. It indicates a fluid situation in which sound public policy and a resurgence of parental guidance can make a tremendous difference—if we learn the lessons of our fight against drug abuse.

A Cultural Crossroads

American society has reached the point at which it must choose between two fundamentally opposed solutions to the problem of adolescent sex. We must either make a massive, and open-ended, commitment of public resources to deal with the consequences of promiscuity (including illegitimacy, abortion, venereal diseases, AIDS, teen suicide); or we must explain to the young, for their own good, one clear standard of conduct which tells them how we expect them to grow up.

We have chosen the latter course with the drug plague and with teenage drinking. We are choosing it, after years of wandering the other way, with regard to teen street crime. We have, under President Reagan's leadership, chosen it in education. No more excuses for misconduct; we're getting back to basics. The cultural relativism, the value-neutral approach of the '60s, has been dumped.

Except for teen sex. Incredibly, some would continue, and expand upon, the mistakes of the past through programs to make it easier for teens to become sexual statistics. Usually in the face of bitter resistance from parents, some public officials want to use our schools for dissemination of contraceptives, counseling and abortion referrals. Secretary of Education William Bennett points out the defects in this approach. He asks, "What lessons do they (the clinics) teach, what attitudes do they encourage, what behaviors do they foster? I believe there are certain kinds of surrender that adults may not declare in the presence of the young. One such surrender is the abdication of moral authority. Schools are the last place this should happen. To do what is being done in some schools I think, is to throw up one's hands and say, 'We give up. We give up on teaching right and wrong to you, there is nothing we can do. Here, take these things and limit the damage done by your action.' If we revoke responsibility, if we fail to treat young people as moral agents, as people responsible for moral actions, we fail to do the job of nurturing our youth."

In addition, there is little in the record to suggest that *value free* sex education courses or the availability of contraceptives to minors has helped—in fact the evidence is quite to the contrary.

For example, a July 1986 study by Joseph Olsen and Stan Weed of the Institute for Research and Evaluation found that greater teenage involvement in family planning programs appears to be associated with higher, rather than lower, teenage pregnancy rates. They note that most studies of clinic effectiveness only measured change in birth rate. Their own study discovered that there were 30 fewer live births for every 1,000 teenage family planning clients. However, to their surprise, they also found a net increase of 50 to 120 pregnancies per 1,000 clients. In short, enrollment in a family planning program appeared to raise a teenager's chances of becoming pregnant and of having an abortion." [55] In fact, the number of teenagers "using family planning services climbed 300 percent for blacks between 1969 and 1980 and 1,700 percent among whites. In the latter year, 2.5 million adolescents received contraceptive services from PPFA clinics, private physicians, and other sources. Nonetheless, the teenage pregnancy crisis only seemed to worsen." [56]

There is a good deal of research evidence that seems to be ignored in the public policy debate. For example, two researchers discovered that when measuring the relationship between family structure and premarital sexual behavior black girls from father-headed families were twice as likely to be "non-permissive" sexually as compared to those from mother-headed units. Graham Spanier of Pennsylvania State University found that when mothers served as their daughters' primary source of sex information, the latter were significantly less likely to have engaged in coitus; when clergymen filled a similar role, the same was true for men. Other studies have shown significant correlations linking father-headed family structure, parental control over the sex education of their children, and traditional values to lower rates of adolescent sexual behavior.[57]

None of this should surprise us. It is the common wisdom of the grandparents of America. It is what average people always understood before the experts of the '60s told them their inherited code of traditional values was oppressive and out of date. Americans understood that strong family life *is* sex education, of which physiological details are only a small and relatively insignificant part. Americans understood that parental example could never be completely replaced by programs external to the home. They knew that children who play with fire sooner or later get burned, and no amount of assistance after the fact can make up for the suffering or remove the scars.

Most Americans still know these things. They wait for their leaders, in religion and business and entertainment, as well as in government, to reassert them.

Recommendations:

- ☐ Most legislation on the subject covered under this section has traditionally been within State jurisdiction. It should remain there.
- ☐ Public programs, however, particularly those funded by the Federal taxpayers through HHS or other agencies, are a matter of national concern. Both the Congress and the Executive Branch have a special responsibility to ensure that those programs respect family values and foster right behavior.

  At a minimum, no Federal program should provide incentives for sexual activity by teens. No Federal activity should contravene the approach we have taken to drug abuse: we do not compromise with self-destructive behavior. We insist that it stop and we provide assistance to those young people who want to regain control of their future.
- ☐ Government should not provide incentives—or make things easier—for teenagers tempted to promiscuity. For example, AFDC benefits could be restructured to limit their availability to those minors who agree to continue to live with their parents. This step would go a long way toward making illegitimate motherhood less attractive in the poverty culture.
- ☐ The private sector, which bears the financial consequences of teen sexual activity, can do the most to reduce those problems. The sponsorship of entertainment, the advertising of commercial products, the attitude taken by opinion leaders in every walk of life all have an impact upon teen conduct.

"If more Americans could be persuaded to carve out of their three or four hours of television viewing each day a period of five minutes at bedtime and use this time to ask their child a simple question—'How did things go today?'—and *listen*, the results in terms of individual families and society as a whole could, I believe, be highly salutary." [58]

George Gallup, Jr.

Children and Television

Any American parent who tries to deal with children finds out very quickly that the television set can be a major obstacle. Not only does it compete for time but, in addition, some experts worry about the values that are passed on in the long hours of viewing by American children.

Between the ages of 6 and 18, children view 15 to 16,000 hours of television compared to 13,000 spent in school and have been exposed to 350,000 commercials and 18,000 murders. According to the Neilsen Report on Television for 1980, children watch 30 to 31 hours of television weekly—more time is spent in any other activity except sleep. By graduation day, the average high school student has seen 18,000 murders in 22,000 hours of television viewing." [59]

The impact on education can be profound, particularly, as is often the case, when television is a substitute for reading by the child. A California study of a half million public school students in the 6th through 12th grades concluded that the more a student watches television the worse he/she does in school.[60] This finding held across I.Q. and socio-economic levels. The study led its author to conclude, "Our social institutions must help parents with this problem, and parents must commit themselves to regulating their children's television-viewing and to making time for constructive family activities." [61]

Television critic Jeff Greenfield has noted that prime time television deals with every issue except those most fundamental to our being. He wrote, "They have moved into areas once considered untouchable in prime time; yet, the most common, most crucial area of all time—the capacity of modern men and women to love, trust, share, and provide a moral framework for children, this seems to be beyond their grasp."

So complete has been the banishment of intact American families from the federally-regulated airwaves that the arrival of the Huxtables ("The Cosby Show") in prime time has been cited as a major cultural event. This show, along with "Family Ties" (a favorite of the President), reinforce family values, and teach children personal responsibility and character. Assuming the networks respond to the market place, one can hope similar programs will be forthcoming.

Government can enforce standards of decency on the airwaves, which are, after all, public property. But we must remember that home entertainment is in a revolutionary transition. The infancy of television is over. As cable television and videocassette viewing increases, we will find ourselves in a new age of media. The competition that comes from regulatory reform and consumer choice can guarantee that family fare will flourish, as long as the viewing public is not timid about making its preferences known. Parents do not have to tolerate offensive or exploitative programs. First, they can turn them off. Second, they can protest to sponsors and producers. The power of the purse remains with the American household.

We hope for improved television. It should be a vital part of our entertainment, our education, our cultural expression, and even our spiritual growth. But it remains for parents to teach by example that television viewing is a small part of life: that precious minutes spent listening to children are inestimably more valuable than hours spent watching a tube.

Caring for Children

Our title for this section is a double entendre, and we intend it; for the subject of child care reminds us that there are different forms of caring. As the term is popularly used, child care means supervision of youngsters by someone other than a parent. And yet, who cares more for boys and girls than their parents?

So we begin with this caution: child care does not only, or even primarily, mean something outside the family. It is something parents engage in 24 hours a day. Its best practitioners are those for whom caring for children is the most important career of all.

Most mothers of children under the age of 18 do not work full-time outside the home; in fact, only 41 percent do. Of married mothers with children under six, only 33 percent work full-time for any period during the calendar year and only 23 percent work full-time year around.[62] Unlike Sweden, for example, the mothers of America have managed to avoid becoming just so many more cogs in the wheels of commerce.

Many do hold jobs outside the home, some because they have to and others because they want to. We cannot help but admire those mothers who work for a living, support their families, and strive to raise good kids. They are nothing short of heroic.

Public policy must not presume that the trends of the last decade will last forever, and government should not try to perpetuate those trends against the individual wishes of parents. Millions of mothers entered the workforce, full or part-time, out of financial need during a period of bad economic policy in Washington. With the breaking of inflation, the gradual decline of interest rates, the return of stability and predictability to the economy, no one knows what choices will be made by mothers in the years ahead.

Some polls show that close to half of the working women with young children would prefer to remain at home with their youngsters but feel they cannot afford to do so. A recent survey revealed that over 70 percent of women working full-time would prefer to have a part-time job or to share employment even though their income would be reduced.[63] As the private sector adapts to these inclinations, and as the historic economic recovery of the last six years continues, new choices should open up for those who care for children.

Currently, the Federal Government is involved in day care in a number of ways from the Dependent Care Tax Credit to programs that encourage private sector employers to come up with creative ways to accommodate workers with children. The Dependent Care Tax Credit has been criticized by some for only helping families who seek third party child care. A few public policy analysts have suggested the credit ought to go to every family with children including families where one parent decides to stay home and raise the children. Such a policy would be more

neutral than the current one although obviously more costly. In our discussion of the tax policy later, the Working Group suggests some ways the tax code could help families with children without being prejudiced to families who would prefer to care for their children at home.

Recommendation:

- ☐ Policy options need to recognize that parents have the primary responsibility for rearing and caring for their children. Policy also must be sensitive to the perception of favoring one type of family arrangement over another (e.g., two parent families with dual earners vs. a single earner). Without creating new entitlement programs, the Federal Government can assist parents with their child care needs by encouraging and endorsing employer efforts to adopt family oriented policies which provide for flexibility in the workplace.

Child Support Enforcement

To some extent, the problem of welfare in the United States is a problem of the nonsupport of children by their absent parents. According to a survey conducted by the U.S. Bureau of the Census in the spring of 1984 there were:

- ☐ 8.7 million women living with children under 21 years of age whose fathers were not present in household;
- ☐ only about 5 million (58 percent) of these women had been awarded child support payments;
- ☐ of the 5 million women awarded child support, 4 million were due to receive child support payments in the previous year; and
- ☐ of those 4 million, only half received the full amount due while one quarter received partial payment and one quarter received nothing at all.

The aggregate amount of child support payments due in 1983 was $10.1 billion, but payments actually received amounted to only about $7.1 billion.

Current Efforts

The enactment of the Child Support Enforcement program in 1975 represented a major new commitment to address the problem of nonsupport of children. The 1975 amendments were aimed at strengthening the efforts of the Federal and State governments to improve the enforcement of child support obligations.

The most significant legislation affecting the Child Support Enforcement program since the program's inception in 1975 was the enactment of the Child Support Enforcement Amendments of 1984. In response to the escalating nonsupport problem and the need for increasing effectiveness and efficiency in child support enforcement, the President and the Congress, in a bipartisan effort, worked to enact these Amendments. Their key provisions make critical improvements to State and local programs in four major areas:

- ☐ New emphasis on child support services for all families that need them—welfare and non-welfare;
- ☐ States will use enforcement techniques that work;
- ☐ Federal financing and audits will be used to stimulate and reward improved program performance; and

- ☐ Interstate enforcement will be emphasized and improved to make more efficient use of resources.

Recommendations:

- ☐ State and Federal governments should strive to make greater use of "cross-checks" of social security numbers and State and Federal income tax returns in order to locate fathers who have not fulfilled child support obligations.
- ☐ States must devote greater resources to determining paternity so that support obligations can be established.

Adoption

In one of the great tragedies of American life, tens of thousands of childless families wait for children to adopt while 1.8 million other Americans abort their unborn children each year. In creating families, adoption can be a special event through which everyone benefits. Federal policies should encourage and support adoption whether it is infant adoption as an alternative for pregnant women, especially adolescents, or "special needs" children who are waiting for a permanent family.

Adoption can be an alternative for a pregnant young woman who may be uncertain about becoming a parent, but who may also misunderstand or forget about adoption as an option when making decisions about her baby and her future. For the pregnant adolescent adoption can be an option which builds futures and builds families. The outlook for her future can be improved because she will be better able to complete her schooling and become self-sufficient. A stable, loving home adds to the future of the baby. And, for the adoptive family, a long-desired child is possible.

However, adoption has not been the chosen option for most pregnant teens. Two factors—legalization of abortion and increased social acceptance of single parenting seem to have contributed significantly to the decline of adoption as a chosen alternative:

- ☐ Approximately 40 percent of all pregnancies to teens end in abortion. Slightly less than half of all teen pregnancies end in live births (the remainder result in miscarriages or stillbirths).
- ☐ Single parenting is currently the accepted, and often the expected, option for pregnant teens. Although almost 93 percent of all unmarried adolescents who bear a child decide to parent their child, single teen mothers usually have unrealistic expectations, limited resources, few supports and little experience for coping with the difficulties of parenthood.

The Adolescent Family Life (AFL) program authorized under Title XX of the Public Health Service Act supports demonstration and research projects addressing the problems associated with adolescent pregnancy. Among the principal aims of the program is the promotion of adoption as a positive option for unmarried pregnant adolescents. Therefore, all projects providing care services are required to provide adoption counseling and referral services.

In addition, several AFL research projects are focusing on adoption and pregnant adolescents. These studies should help fill gaps in the understanding of adoption trends and help providers improve adoption services to pregnant adolescents. Most of the studies are not yet completed; however, findings from the studies should help provide new insight into decision-making and counseling about adoption.

In other efforts to support adoption as an option, the Office of Population Affairs in the Department of Health and Human Services, which administers the Title X National Family Planning Program and the Adolescent Family Life Program, supported the dissemination of an adoption resource directory and the development of an adoption information guidebook for counselors who work with pregnant teenagers. This guidebook is now available from the Federal Government.

Special Needs Adoption

Recent studies indicate that more than 50,000 special needs children in foster care are legally free for adoption. Of this number, 17,000 are already in adoptive placement and 33,000 are waiting for a home. For thousands more, adoption would be the plan of choice, but parental rights have not been terminated. There are about 269,000 children in foster care nationwide (1983 data). A large number of these children are special needs children.

Special needs children are children who need special attention or assistance in order to be placed in an adoptive home. These children are school age; emotionally, physically or mentally handicapped, or members of minority groups; some are also sisters and brothers who should be adopted together. These types of children, previously considered hard-to-place, have often been passed over by prospective adoptive parents or agency staff. They tend to be over the age of 11, and they are likely to have been in foster care more than four years.

Two Federal programs impact upon special needs adoption:

- The Adoption Opportunities Program is designed to eliminate barriers to adoption and to help find permanent homes for children who would benefit by adoption, particularly children with special needs.[64]
- The Adoption Assistance Program permits Federal reimbursement to States for adoption subsidies made to special needs children eligible for AFDC (Aid to Families with Dependent Children) or SSI (Supplemental Security Income).[65]

In FY 1982, 27 States served 3,826 children per month using Federal funds. An average of 12,000 children per month was served in FY 1984, and 14,000 (estimated) in FY 1985. In addition, almost every State and the District of Columbia has its own adoption subsidy law.

Until recently, many people interested in adopting did not know about the population of special needs children. This is changing, however, no doubt in part because of a Department of Health and Human Services special initiative to promote such adoption.

The initiative aims to:

- increase awareness of special needs children in foster homes, group homes and other institutions;
- recruit adoptive families including minority parents;
- improve training for adoption workers; and
- review and improve State adoption laws and practices.

Recommendations:

Several options warrant further study in this area including:

- ☐ Allow a deduction for all qualified medical expenses related to the adoption of an infant or a special needs child on a basis which would be equal to the treatment of medical expenses for the birth of a child.
- ☐ Provide a one-time increase in the personal exemption to families upon the adoption of a child.
- ☐ States should review regulations and statutory codes that may be discouraging the adoption option. For example, some States prohibit a couple that intends to adopt a child from financially supporting the mother during the pregnancy.

Neighborhoods

Even in modern America with our highly mobile population, it is necessary to recognize the sense of neighborhood most Americans still feel. America's diversity is its strength. Our neighborhoods are not all alike. The South Side of Chicago is different from Baltimore's West End and Peoria, Illinois, has different standards than New York's East Village. Government policy should deal with families in ways that allow the cultural differences to be considered. As Peter Berger and Richard John Neuhaus said in their book, *To Empower People*, "Neighborhood governance exists when—in areas such as education, health services, law enforcement, and housing regulations—the people democratically determine" what is in their own best interest.[44]

Housing and the American Family

Home and family are inseparable. Good families make good homes, but the best of housing cannot make good families. Strong, resilient families came from sharecropper shacks and immigrant tenements, as they earlier had come from log cabins and sod huts on the prairie. Conversely, the problems of contemporary family life affect those who live in luxury dwellings, as well as those in public housing.

For most Americans, housing is a private matter. The housing market adapts remarkably well to changing needs, following trends in family size and patterns of living. For most Americans, housing is a private matter; and they can best tend to it if government does not impose upon their incomes, either directly through onerous taxation or indirectly through economic dislocation. By reducing the tax burden and, perhaps even more important, by breaking the back of inflation, the Reagan Administration has launched a new era in housing policy. Mortgage rates have fallen from 17.5 percent in 1981 to 10 percent today, making homeownership affordable for an additional 10 million families. Many others can now afford to buy homes because of declines in inflation and unemployment. That is why homeownership has reached one of its highest levels in the nation's history. About 65 percent of all Americans are homeowners now, compared to less than 45 percent just a few decades ago.

The Federal Government's housing programs aid millions of American families—helping those of modest income to buy their first homes and helping low-income families rent decent, affordable housing.

FHA and VA mortgage insurance and guarantee programs, as well as the development of new secondary markets for mortgage loans, brought unprecedented capital to housing after 1950 and expanded opportunities for ownership to a wider range of income groups. In rural areas, the programs of the Farmer's Home Administration performed a similar function.

For those unable to afford ownership, the Federal Government has subsidized the construction, and more recently the operation and modernization, of 1.3 million public housing units owned by local public housing agencies. It has also subsidized the construction of 1.7 million privately operated multifamily rental units through loans or insurance. Additionally, over 800,000 families living in private rental units receive Federal subsidies in the form of vouchers or certificates to help them pay their rent. In recent years, communities have received increased latitude to design and administer housing programs receiving Federal support.

The proportion of the poor living in substandard or overcrowded housing has declined dramatically. The American people have poured tens of billions of dollars into public housing, and our current financial commitments for future years will require tens of billions more. We all have an interest in the upkeep of this housing; but even more, we have an interest in ensuring that poor families are not isolated there. Housing policies that separate the poor from jobs, good schools, and the social mainstream only reinforce the "underclass" culture, the greatest enemy of poor families in central city areas.

In response to the changing needs of poor families, the Reagan Administration has moved away from the traditional approach of building new "poor people's" housing toward a system that places greater purchasing power directly in the hands of the poor—housing vouchers. Using vouchers, an assisted household pays a portion of the rent based on income, with the government paying the balance.

Experience shows vouchers to be the most cost-effective means of meeting the housing needs of poor families in communities of all kinds. In places where restrictions on housing construction or other problems temporarily produce tight rental markets, rehabilitation programs have been used successfully to increase the supply of rental housing. Rehabilitation thus complements the voucher approach and helps a community preserve its neighborhoods by saving and reclaiming good housing. It also avoids much more expensive subsidies that would be required to build new housing.

Of special importance for families seeking to escape from dependency, housing vouchers promote geographical and economic mobility. One-half of all families use their vouchers to move; and 70 percent of these move to new neighborhoods. These moves are nearly always voluntary and result in relocation to neighborhoods that are less racially concentrated.

Vouchers, better than the traditional forms of housing assistance, support the efforts of families to change their economic and social circumstances. If a poor family decides it must move in order to be near good schools or to seek jobs in a different city, that family can do so with a voucher.

During the critical transition period when a single parent is investing in education, training, or work experience, a housing subsidy offers the family additional financial security and stability. For a non-working parent with two children, the voucher typically has a cash value of between $200 and $300 per month. Because housing subsidies will usually continue after other forms of cash assistance have ceased, they not only provide an immediate increase in financial security but help to smooth what otherwise can be an abrupt transition from welfare to self-support.

Through the U.S. Department of Housing and Urban Development (HUD), the Administration has taken other steps to improve the quality of the whole living environment for residents of public housing. As part of the ongoing effort to rehabilitate and modernize public housing, young minority residents are now offered opportunities to train for careers in housing maintenance, rehabilitation, and management.

Public housing tenants also are being given new opportunities to participate in managing their own projects. Finally, through HUD's Public Housing Homeownership initiative, some upwardly mobile public housing residents are being given the opportunity to buy the units where they live or others in the same community.

Recommendations:

- ☐ Fiscal responsibility is essential to keep inflation and interest rates low. That is the key to keep housing affordable.
- ☐ Most existing forms of housing assistance should be replaced with housing vouchers.
- ☐ Programs to enable tenants to purchase their public housing should be expanded.
- ☐ Consideration should be given to phasing in or delaying rent increases for tenants who are newly employed. This will remove current disincentives to seeking employment.
- ☐ Government, at all levels, should follow the example of HUD in working with local officials and home builders to overcome restrictive cost-adding regulations.
- ☐ Public housing authorities and tenants' groups should have broad authority to deal with criminal elements or tenants who make it impossible for other families to maintain a good environment for raising their children.
- ☐ Often the admission of young single parents to public housing before they are ready to assume the responsibilities of adulthood results in trapping them in a welfare spiral, rather than helping them. While housing authorities are precluded by law from excluding all young single parents, they should be encouraged to limit their availability to those single parents who can exhibit the maturity necessary to assume the responsibilities of a separate unit.
- ☐ For all homeowners, but especially those of modest incomes, crime and vandalism are totally unnecessary additions to the cost of housing. Expensive locks, bars, grills, gates, dogs, alarm systems, window and masonry repairs, and other expenditures are the price paid by homeowners—and by renters too, for landlords must pass these costs through to tenants—for the permissive approach to crime that characterized the 1960s and 1970s. A tough approach to crime—there are no minor burglaries when someone's home has been violated—is an essential component to our housing policy.
- ☐ The itemized deduction in the Federal income tax code for mortgage interest should be maintained.

Crime

Crime is the cruelest tax of all on the American family, a regressive levy that burdens those least able to bear its exactions. But it is also a symptom, a consequence of the widespread collapse of family life. In the fight against crime, we cannot expect lasting success until we reverse the trend toward family dissolution.

The establishment of justice is the highest duty of government. Swift and sure enforcement of the laws means protection of the weak and of the social order which enables households to move up the opportunity ladder. According to the Bureau of Justice Statistics, 9.6 percent of the households with incomes less than $7,500 were burglarized in 1984. This is nearly twice as high as the rate for households in the

$25,000 to $30,000 range.[67] For a poor family, often uninsured, the economic loss from a robbery can be financially devastating.

Other more indirect costs of crime to poor families may be even more significant. To what extent, for example, do unsafe streets stop a poor inner-city resident from working overtime, moonlighting or going to night school? One study in Chicago showed a drop in home values of 0.2 to 0.3 percent for every rise of one percent in the crime rate, thus, making the build-up of capital less likely.[68] Crime discourages investment, leads businesses to relocate, raises operating costs for those businesses that stay, and frightens away customers.

Many crimes in poor neighborhoods, out of fear, are never reported. And of those that are only 20 percent are ever solved. Fewer that 30 percent of those convicted of violent crimes and serious property crime are sentenced to prison. Many more get "felony probation" and are back in the community. Not surprisingly, 65 percent of these individuals are arrested again for similar crimes in three years.[69]

In some communities the crime culture overwhelms decent families trying to raise their children. A National Bureau of Economic Research study showed that 32 percent of inner-city black youth could earn more from criminal "street" activity than from legitimate work.[70]

What this does to the community at large is devastating. When many in a community are subsisting on illegal sources of income and violent crime permeates the streets, the impact is predictable. "To put it roughly, good folks no longer set the standards . . . the role models for the youth are not blue collar working men who raise families but hustlers."[71] Even language is impacted by the crime culture. In an Orwellian twist, in some Washington, D.C. neighborhoods, "getting paid" is slang for mugging somebody.

The Administration's stepped-up efforts against crime recognize that in many neighborhoods today it is violent crime that most imperils the atmosphere families need in order to raise their children. The Administration's Comprehensive Crime Control Bill, enacted by the Congress in 1984, was the most sweeping effort in many years to make the Federal laws a more effective weapon against criminals. The 1984 Act tightened the standards for releasing violent criminals on bail, provided for uniform sentences developed by a Sentencing Commission, and provided for much stiffer forfeiture penalties against drug traffickers. Studies have shown that under the arbitrary sentencing practices of some judges in the past, high percentages of convicted criminals such as rapists, robbers, and burglars—from 30 percent to 60 percent in these categories—do not serve any time in prison at all.

Real progress is being made. The National Crime Survey conducted by the U.S. Department of Justice indicates that crime in the United States has declined for four consecutive years, with property crime now at its lowest level since the survey began in 1973. Other surveys show at worst a leveling off.

Law enforcement experts agree that citizen involvement in crime prevention is critical to this reduction. Today, more than 10,000,000 Americans participate in Neighborhood Watch programs to work together with law enforcement to combat crime. Fully one-fifth of all American families live in communities with such programs. Communities in all parts of the country have experienced crime rate declines of 50 percent or more following the establishment of neighborhood watch programs. The Department of Justice is working with the Advertising Council and national and State organizations to conduct the "McGruff, Take A Bite Out of Crime" program which raises public awareness and emphasizes simple steps people can take to pro-

tect their families, homes, neighborhoods and businesses. McGruff has become an enormously popular character and, in over 1,000 communities, the official symbol of crime prevention. As a result of increased awareness, about one-third of the households in America report taking some crime prevention measure.

In addition, the Department of Justice during this Administration has focused public attention on the issue of domestic violence. Criminal violence within the family—up to and including murder of one family member by another—is the ultimate denial of every value for which the family stands.

Recommendations:

- ☐ All levels of government have as a prime responsibility the safety of their citizens and families. There must be more strategic use of police resources including improvements in the legal systems to more expeditiously handle cases. Communities must have more confidence that law breaking will be met by swift and sure punishment.
- ☐ Personal involvement in crime prevention can be an essential part of any anti-crime program and should be encouraged. There must be adequate support, financial and otherwise, for public safety systems. Finally, we need more judges who are able and willing to balance the rights of the accused with the rights of all Americans to safe communities and neighborhoods.

Even as we protect the American family against crime, we must seek to reestablish traditional familial controls against its perpetration. That means tackling a web of social pathologies—particularly drug and alcohol abuse and promiscuity—discussed elsewhere in this report.

"Children do not just 'grow up.' They must be raised by the community of adults—all adults. The community should accept as its solemn responsibility—as a convenant—the nurture, care and education of the coming generation." [73]

William J. Bennett

Schools

School and the family are bound together in the enterprise of molding children. A good bit of what children think about themselves, their neighbors, their country, and the world are formed by these two institutions.

Parents are children's first and most important teachers. A traditional family, that is, a man and a wife who stay together and raise a family, have inherent advantages in the process of raising those children. There are no guarantees, however. As Secretary William Bennett has pointed out, "two neglectful parents are of less use to children than one who is attentive and caring." [73]

Education has enabled waves of American immigrants to rise out of poverty, and it remains the most effective vehicle today for breaking the cycle of dependency. A recent study shows that if you are a white or black male and if you graduate from high school and get a job, any job and stick with it, the odds of avoiding poverty are high.[74]

In spite of this clear connection between schooling and upward mobility, it is not an easy task to convince children to learn today what they can get a better job years later. The right conditions and atmosphere for learning must exist. A host of reports, most notably among them, *A Nation At Risk*, have dramatically outlined the decline in American education as measured by student performance that took place between 1960 and 1980. There is some evidence to indicate that this decline took place not because Americans lessened their commitment to education—spending grew by leaps and bounds during the period—but, rather, because the prerequisites for success were being eroded by a number of trends.

James Coleman in his book, *High School Achievement*, pointed out that most studies show "little or no consistent relation of per pupil expenditures, laboratory facilities, libraries, recency of textbooks, and breadth of course offerings to achievement." Rather the characteristics most related were "academic demands and discipline." It was precisely in these two areas, however, that in the '60s and '70s showed the greatest deterioration.

Educating the Disadvantaged

Poor and minority children often present special problems for American educators—but not insurmountable problems. To meet the challenge, educators and society, at large, must be very clear in the message we send. All of our children are educable. We should have high expectations of all of them regardless of race or economic status. No child should be put on a slow track or aimed at non-technical occupations solely because they are black or Hispanic or low income. Each child must be challenged to dream and to strive. In inner city neighborhoods all over America strong principals and teaching staffs are proving every day that with high expectations, discipline and a commitment to excellence all of our children can achieve.

Labels like "underclass" must not be used to smother the spark in a child's mind or to send him a message that success is impossible.

Values—The Flight from Common Sense

We have already alluded to the movement in the '60s and '70s to introduce "value free" curriculum into the nation's school system. This trend seems to be one more symptom of the "loss of nerve" that pervaded American elites, including some parts of the educational establishment. Confusion about our past, about our free institutions—even about what being a "good citizen" meant led to an unwillingness to assert moral authority. Fortunately, the American people were by and large not as confused as their leaders. The Gallup poll continues to show that next to teaching reading, writing, and math, American parents want schools to teach reliable standards of right and wrong.

This common sense about values is reflected in a growing amount of research. For example, students who valued the work ethic, attached a high importance to education and who were religious outperformed their peers between 12 and 18 percentile points on standardized tests.[75] A 1982 study showed that youth actively involved in their church were much less likely to have used marijuana and alcohol than non-church attenders.[76] Students possessing certain core values—ambition, industriousness and responsibility—were much less likely to drop out of school.[77]

Recently arrived Asian immigrants have provided us further evidence of the link between values—family and education. Experts have watched in astonishment as the children of the "boat people" who just a few years ago arrived penniless and facing language and cultural impediments have catapulted themselves literally to the "top of the class." On national standardized tests of academic achievement, 27 percent of the refugee children scored in the 90th percentile on math achievement. In grade point average, more than a quarter of them had an "A-average" and overall their scholastic average was 3.05 or slightly above a "B." Research shows that the reason for this performance is the values the children bring with them. Nathan Caplan of the University of Michigan found these children possessed traditional cultural values, a cohesive family structure and achievement orientation. In addition, they were convinced that America, in the words of Lincoln, offers the opportunity of "an open field and a fair chance."

American families expect their children to be taught the same values—the precursors to success—that these immigrant families have. These are not exclusively oriental values or concepts alien to the American experience. The failure over the last 20 years to do this has hurt all families but perhaps the poor and disadvantaged the most.

Courts in the Classroom

The '60s saw the Federal courts move aggressively into America's schools. A number of cases established the "rights" of disruptive students and sent a clear message that local school officials did not have the discretion they once did in dealing with student disorder. Not surprisingly, there was an explosion of school disorder from 1964 to 1971 with the problem remaining at unacceptable levels after that time. That part of this explosion was due to the unsettling nature of the times cannot be doubted. Neither can one doubt that the playing field had changed. School administrators had fewer tools to deal with the problem—courtesy of the courts. Students

who had been deterred by seeing what happened to a fellow student who broke the rules now saw their peers "beat the system." It should have surprised no one that as bad behavior became less costly, we witnessed more of it. Not only was schooling undermined, but the family was, too.

The family who was trying to teach its children to respect authority, study hard, and stay in school, now found themselves at odds with the reality their children experienced. Defying authority brought no lasting pain and obeying it was not particularly rewarding.

The impact on minority students and their families was particularly pronounced. Studies show that minority students are more likely to attend a school in which discipline has broken down and learning is disrupted. The misplaced emphasis on the rights of disrupters at the expense of the rule abiding student was unfair and ill-advised.

The Future

The release in January of 1984 of the President's report on school violence and discipline signaled a major effort by the Administration to return authority to families and local school authorities to maintain order in their local schools. Recent Supreme Court decisions such as *T.L.O.* v. *New Jersey* are sending a new message to students and serve to reinforce the family's effort to instill good behavior. A number of strong principals, often minority, around the country have gained prominence by insisting on strict conduct standards and have literally turned schools around overnight by strong and consistent enforcement of common sense rules. Schools that follow this approach find themselves with long waiting lists of families who want their own children in such a learning environment.

Recommendations:

- ☐ Schools should treat parents as the partners they are in the educational process. Parental input should be encouraged and solicited. New education programs on the local, State or Federal levels should require parental involvement.
- ☐ Curricular material should not undermine family values but should reinforce the principles and ideals most parents strive to impart to their children.
- ☐ Local school officials should have a good deal of discretion in formulating day-to-day policies for the education of our children. Their efforts to maintain order and an atmosphere conducive to learning should not be undermined by intrusive court action.

Taxes

For two decades, the Federal tax code meant bad news for the American family. It sent a message to every household in the land: the traditional family of parents and children was of no importance to policymakers—and tax spenders—in Washington. Nearly every special interest group managed to protect itself in tax legislation except for the most important part of our economic and social system: husband, wife, and children.

Determined presidential leadership has radically reversed that now, but we should not forget how dire the tax system was for the American family. Through the 1960s and 1970s, corporate income tax payments, as a percentage of Federal revenue,

were steadily declining. The Tax Reform Act of 1969 gave major tax reductions to unmarried and single taxpayers. But for many, taxes were increasing.

Between 1960 and 1984, the average tax rate for a couple with two children climbed 43 percent. For a couple with four kids, the increase was an incredible 223 percent. Intentionally or not, the tax system imposed a dollars and cents penalty upon families with children. The nation whose tax code penalizes productive work and stable family life will find itself overtaxed and underserved.

No single portion of the tax code was responsible for the shift of the tax burden onto the backs of families, but a major contributor to the problem was the fact that the exemptions taxpayers received for themselves and their dependents remained static as inflation eroded it and income rose. In 1948, the personal exemption was set at $600, which removed most families with three or more children from significant income tax liability. If the exemption in 1984 had offset the same average percentage of income as it did in 1948, it would have been around the $5,000 mark.

Tax fairness for families was a major motivation for President Reagan's tax reform. The Administration asked Congress—and the American family has received—a doubling of the exemption to $2,000 by 1989. It will be indexed to the Consumer Price Index thereafter. This is a giant step in the right direction.

Families with low incomes will be aided by another provision of the President's tax reform. They will receive a larger earned income tax credit (EITC), reaching a maximum of *at least* $800 in 1988 since it will be indexed from the base year 1984. The credit will automatically increase in the future according to annual inflation adjustments. By offsetting some social security taxes, this serves as a powerful work incentive. As a result of these changes, millions of families will pay no Federal income taxes at all; and a larger number than previously will receive the EITC.

The child care tax credit was left unchanged by tax reform. This provision is often called pro-family. However, some critics contend the credit helps some families but not those who need it most. For example, the credit can be claimed by a household with two wage earners but is denied to couples who raise their children at home. This forces more than half the families of America to pay higher taxes solely because one spouse, usually the wife, has chosen not to work outside the home. She may devote long hours to humanitarian work, community projects, and her family. But her higher taxes subsidize child care for her peers who are in the workplace.

Everything we know about childhood development and psychology indicates that home care for youngsters is vastly preferable to institutional arrangements. If public policy will not favor home rearing of America's boys and girls, at least it should not be perceived as tilting the board in favor of care outside the home. That is why we propose an increased exemption for dependents. It will help offset child care costs for both kinds of families, those with two wage earners and those who raise their children at home. The latter, at considerable sacrifice, perform an important service to society and deserve at least equal treatment.

Americans are the most generous people on earth—when they have control of their own resources. Their record of private giving and community service has been remarked by observers from de Tocqueville to Banfield. The public enthusiasm for tax cuts may stem in part from their understanding that works of compassion can best be done by institutions closest to home: family, volunteer associations, local government, religious societies. These institutions help more successfully than government because they offer charity with a human face. To tax away family resources is to

diminish the capacity of these mediating institutions. Then we are left with nothing but big government and small individuals. In that match-up, the State always wins.

We return to one of our first principles: To begin with, do no harm. To help families, the best step government can take is to let them keep more of their hard earned money.

Recommendations:

- ☐ The tax cuts of 1981 and the tax reforms of 1986 are major victories for the American family. Their principles must be preserved in any future adjustments of tax policy, and any additional tax relief should be directed toward families within the structure created by those landmark reforms.
- ☐ Continued economic growth, combined with reductions in government spending, can set the stage for further reductions in the tax burdens of the American people. When that happens, the Treasury Department should study several areas in particular:
    1. The personal exemption has already been increased and also indexed for inflation. However, it could be expanded further with an eventual goal of $4,000-5,000. To save revenues, the increase could be limited to dependents. At that point, a review of the child care credit would be appropriate, since child care costs could be met with the larger exemption. This could be more fair to all families. Those with two wage earners could use the increased exemption for child care costs, while single paycheck families with a parent at home would have tax relief to help with the costs of raising children. Each family would keep more of its own resources and make its own decisions about raising its children.
    2. The EITC could be modified by introducing a "per child" factor. For example, if an eligible family has three children, the amount of income on which they could earn the credit would increase accordingly.
    3. Even after the improvements in our tax reform effort, there is a "marriage penalty" still in the tax code for some taxpayers. Future reform should address ways to eliminate or further reduce this inequity.

A Place to Begin

How can the public, and the officials we elect, evaluate policies in a family way? How can we determine what governmental actions are good for the family? It is all too easy for proponents of one or another course of action to claim they are doing things "for the family." If our commitments are to involve more than posturing, there must be clear standards by which to evaluate programs and policies.

For that reason, and as a way of fostering within the entire apparatus of the Federal Government a new sensitivity toward the importance of the family, we make this final recommendation:

- ☐ All heads of departments and agencies should review current programs and policies within their jurisdictions, rigorously applying to each of these specific criteria:

1. Does this action by government lessen earned household income? If so, how do the benefits of this action outweigh, and justify, the exaction from the family budget?
2. Does this policy serve to reinforce the stability of the home and, particularly, the marital commitment that holds the home together?
3. Does this measure strengthen or erode the authority of the home and, specifically, the rights of parents in the education, nurture, and supervision of their children?
4. Does it help the family perform its functions, or does it substitute governmental activity for that function?
5. What message, intended or otherwise, does this program send to the public concerning the status of the family?
6. What message does it send to young people concerning their behavior, their personal responsibility, and the norms of our society?
7. Can this activity be carried out by a lower level of government?
8. Can it be performed by a mediating institution in the private sector?

Those are not difficult questions, and they should not be asked by the Administration alone. Members of Congress, individually and through their committee system, might make the same inquiries, especially with regard to proposals for new or extended Federal programs.

Because most of the administrative business of the executive branch of government is handled by regulations and guidelines, it is vital that departmental and agency initiatives be overseen with those eight questions in mind. Review by OMB is one possibility. Another would be the creation, within the Office of the President, of a small panel, drawn from existing personnel of the executive branch, to systematically apply those questions to proposed policy or regulatory changes from the departments.

The precise mechanism for asking those questions is less important than ensuring that they be asked—and answered in a public way. Only then will the households of America know who truly speaks, acts, and governs in the interest of the family.

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